

APPROVED  
September 24, 2009



GOVERNING BOARD MEETING  
Thursday, August 27, 2009 – 7:30 A.M.  
Historic County Courthouse Ballroom – 3<sup>rd</sup> floor  
51 South University Avenue, Provo, Utah

**ATTENDEES:**

Mayor Lewis Billings, Chairman  
Commissioner Larry Ellertson, Vice-Chair  
Reed Price, Utah Lake Commission  
Don Blohm, Highland  
Mike Cobia, Mapleton  
Mayor Jim Dain, Lindon  
Chris Finlinson, CUWCD  
Mayor Howard H. Johnson, Lehi  
David Lifferth, Eagle Mountain  
James Linford, Santaquin  
Dean F. Olsen, Springville  
Michael Styler, UT Dept. of Natural Resources  
Mayor Heber Thompson, American Fork  
Dave Wham, UT Dept. of Environmental Quality

**Other Interested Parties:**

Stephen Schwendiman, Attorney General's Office  
Greg Beckstrom, Provo  
David Grierson, Forestry, Fire & State Lands  
Michael Mills, JSRIP  
LaVere Merritt, Consultant  
Rick Cox, URS Corporation  
Bob Trombly, Provo  
Dee Chamberlain, Saratoga Springs Homeowner's  
Association  
Todd Frye, Bonneville Sailing and Seamanship  
Ron Phillips, Phillips Association  
Jeff DuBois, Manager of Bradley Public Relations, BYU  
Ken Plowman, BYU Dept. of Communications  
Steve Densley, Provo/Orem Chamber of Commerce

**ABSENT:**

Genola, Orem, Pleasant Grove, Saratoga Springs, UT County Legislature, Vineyard, Woodland Hills

**1. Welcome and call to order**

The meeting was called to order by Chairman Lewis Billings at 7:35 A.M. He welcomed all and asked if anyone was in attendance for the first time.

**2. Review and approve the Utah Lake Commission minutes from May 28 and June 26, 2009**

Chairman Billings opened discussion on the minutes from the meeting held on May 28, 2009. Mayor Heber Thompson moved to approve the minutes and Mayor Jim Dain seconded it. The motion passed unanimously. Mayor Howard H. Johnson moved to approve the minutes from June 26, 2009 and Mr. Jim Linford seconded it. The minutes of June 26, 2009 were approved unanimously.

**3. Review and approve the monthly financial report of the Commission for May, June and July 2009**

Mr. Reed Price reviewed the May financial report. He reported that the Zion's Checking account balance was \$1,420.13 and the Money Market account balance was \$127,912.53 with a Petty Account balance of \$2.12. The Petty Account was in the process of being eliminated. The Year-to-Date Interest was \$5,077.63 and the

APPROVED  
September 24, 2009

projected amount had been \$5,000. The Expenses for May totaled \$13,258.97. General Fund Budget account balances were listed with a total balance of \$87,222.53. Approximately 24% of the budget balance was remaining.

The Financial Report for the month of June reported the Zion's Checking account balance was \$1,079.93 and a Zion's Money Market account balance of \$104,037.50. Several transfers were made during the month and the Year-to-Date Interest earned was listed at \$5,200.48. In the month of June the Commission expended \$24,340.20. Many of those expenditures were derived from the Commission's participation in the Utah Lake Festival. The General Fund balance was \$62,882.33 being approximately 17% of the budget.

The new fiscal year began July 1' so the final report on July 31 showed the Zion's Checking account balance at \$2,196.63. Membership contributions were beginning to come in increasing the Zion's Bank Money Market account balance to \$254,549.24. Interest earned that month totaled \$184.94 and total expenses for the month were \$12,834.44. Approximately 95% of the budget was remaining with 91.7% of the year remaining.

Mr. Price asked if there were any questions. Mr. David Lifferth asked if the balance of \$62,882.33 at the end of June was rolled over into July. Mr. Price confirmed that and said that part of the balance was rolled into the Special Projects Fund.

Chairman Billings commented that the monthly expenses averaged about \$13,000 and asked for clarification of the increase of about \$10,000 in June taking into account three pay periods and the participation in the Utah Lake Festival. Mr. Price explained that almost \$7,000 was extra payroll and \$2800 was spent on the Utah Lake Festival.

Mayor Thompson referred to the 17% remaining at the end of June and asked if the Commission has a target amount at which to end the fiscal year. Mr. Price explained that the maximum amount allowed by state law is 25% and he tries to maintain it at 20% or below.

Chairman Billings asked legal counsel if the financial reports could be approved together and it was affirmed.

Mayor Howard H. Johnson moved to approve the financial reports for the months of May, June and July 2009. It was seconded by Mayor Thompson and approved unanimously.

#### 4. Report from the Technical Committee

Mr. Greg Beckstrom, Vice Chair of the Technical Committee, reported that for the last several months the Technical Committee has been engaged in keeping up with the carp removal and the experimental phragmites removal project on the east side of the lake. They have also spent significant time working with Mr. Price on the identification of the implementation strategies for fulfilling the goals and objectives in the Master Plan document. He reminded everyone that the Plan becomes the foundation and the first step in the implementation of the goals.

The Technical Committee meeting that was held earlier in the week primarily focused on the Utah Crossing proposal by Mr. Leon Harward. The proposal is for a transportation corridor which would connect from the west side of the lake, north of Pelican Point, crossing to the east side of the lake in Vineyard and lining up at 800 North in Orem. The proposal is for a bridge for the entire length of the crossing. The concept of a causeway has been stricken from all discussions and the concept is now for a bridge that would be built on piers. The presentation included the construction of the bridge.

Utah Crossing has had meetings with the U.S. Army Corps of Engineers and they are on a path, which would be confirmed by the Corps, which would not require an environmental review or a formal EIS process. That process would be required if there would be federal or state funding, but Utah Crossing's intentions are for the proposal to be an entirely privately funded project. A bond or loan would be repaid by tolls from the traffic on the bridge. Utah Crossing will be applying for a permit from Forestry, Fire & State Lands (FFSL) for the construction of this bridge.

FFSL has indicated that they want to be working closely with the Utah Lake Commission to determine if this permit is appropriate and to identify the issues.

APPROVED  
September 24, 2009

After the meeting it was determined that a committee with representatives from the Department of Natural Resources (DNR), FFSL, a subcommittee from the Technical Committee and Mr. Price would meet on September 8 to outline a process by which the permit application could be evaluated. This group will identify the issues that need to be addressed and those who would be responsible to address those issues. A public outreach will also be outlined.

The focus of the Technical Committee will be primarily to review the proposal for its compatibility with the goals and objectives that are outlined in the Master Plan. The intent is that following the September 8 meeting the Technical Committee will report back to the Executive Committee and the Governing Board next month as to the process that is outlined in that meeting with the various entities.

Commissioner Ellertson asked if the report would include a proposed timeline. Mr. Beckstrom replied that the timeline is for as soon as possible. Utah Crossing is dealing with a process of wanting to provide information, but not committing more resources without being assured of obtaining the permit for the success of the project. The estimated actual bridge construction would be a 12-24 month process. Mr. Beckstrom surmised that there would be close to a year lead-time after the permit had been issued. Utah Crossing has had preliminary meetings with both the Utah Department of Transportation (UDOT) and Mountainland of Governments (MAG) as to points of connection to other transportation corridors.

Mayor Dain asked when the presentation would be made to the Governing Board. Mr. Beckstrom said that would be discussed with the Executive Committee following the September 8 meeting. Chairman Billings added that any of the Governing Board members are invited to attend the Executive Committee meetings.

Mr. Stephen Schwendiman confirmed that Utah Crossing would be making the same presentation to the Resource Development Coordinating Committee (RDCC) on September 8 and that it will be an open meeting. Mr. David Lifferth commented that there was standing room only at the Technical Committee presentation earlier in the week and requested that all future meetings in regard to this subject be held with enough volume capacity to accommodate the interest of those who wish to participate.

Chairman Billings requested clarification if state funding would trigger an EIS. Mr. Beckstrom said he wasn't sure what the stipulations are exactly. The U.S. Army Corps of Engineers may be writing a letter saying they do not have a role in this project if the project remains in its present conceptual form. A representative from the Corps was at the presentation of the proposal.

Commissioner Ellertson asked what defines the project in relation to the connector roads. Mr. Beckstrom said that the communities on each side, Saratoga Springs and Vineyard and Orem, have been invited to attend the next meeting. They are expected to have specific questions to ask Utah Crossing. Mayor Johnson requested that American Fork and Lehi be included to participate in that meeting.

Mr. Grierson said that the RDCC presentation will be held on September 8 in the Capitol building boardroom at 9:00 A.M. and will, in essence, be the same presentation from Utah Crossing. Utah Crossing has stated that the main concern for them at this point with the project is the seismic pressures. Mr. Grierson stated that FFSL would send the proposal not only to the RDCC, but also to the Utah Lake Commission, MAG, and the FFSL advisory council. This presentation is really a courtesy, as the DNR has not yet received a nomination for the project.

Mr. Rick Cox asked if agencies have been identified who would be responsible for performance bonds and removal bonds. FFSL will address those issues.

Mr. Michael Styler added that biologists and scientists will be attending the RDCC meeting and will be asking probing questions.

Mayor Thompson commented that in his community when there is something that has a broad impact they try to get the voter's opinions. He asked if there would be an opportunity for input on this project from the public. Mr. Beckstrom said the intent is to have a public information process and an opportunity for input. That will be one of the primary objectives that will be identified.

Chairman Billings asked if the State would allow that meeting to be videotaped. Mr. Styler said it is an open meeting and so could probably be taped if arrangements were made. He added that MAG does traffic concept

planning and asked if MAG had stipulated where a crossing should go. Mr. Beckstrom said he understands that this crossing is not part of MAG's 20-30 year plan, but is part of their conceptual plan.

Ms. Chris Finlinson said a project of this size has to be carefully funded and questioned whether funding had been identified. Mr. Beckstrom said the bridge is projected to be privately funded. But the question that has yet to be resolved is the funding of the studies that will be needed to answer questions that are currently arising.

Mr. Beckstrom said the cost estimate is in the hundreds of millions. The question was raised if there would be some assurance before the project would be started and guarantee that this would not be a partially completed project.

Mayor Johnson requested that more information be emailed to everyone as a reminder for this meeting.

Chairman Billings asked if sailboats under full sail would be able to go under the bridge. Mr. Beckstrom said the majority of the bridge would be designed so that the bottom of the bridge would be 35 feet above compromise elevation of the lake with a central lake span of some distance that would have a clearance of 50 feet. Utah Crossing has done some geotechnical work that supports pier depth at between 100-150 feet.

Mayor Jackson acknowledged that Eagle Mountain City would love to see the crossing occur and it would alleviate many traffic problems for them. She said she is not opposed to the private ownership.

Chairman Billings expressed thanks to the Technical Committee and to all the entities for contributing to this project.

#### 5. Report from the Executive Director

Mr. Price announced that today would be Ms. Carol Mausser's last day as the Executive Assistant as she will be relocating to Southern California where her husband has been working and commented what a great asset she has been to the Commission. Mr. Dean Olsen has assisted Mr. Price in conducting interviews and he would be extending an offer today to one of the applicants to fill this position.

As reported in the newspaper, a phragmites spray was completed of the pilot project on the east side of Utah Lake between Lindon Harbor and Gammon Road in Vineyard and it seems to have been successful. It takes about four weeks to see the effects of the herbicides. They are moving forward in creating a long-term removal plan in conjunction with FFSL. It was about 110 acres that was sprayed. Utah Partners for Conservation and Development (UCPD) is the main source of funding right now and it is hopeful that with the success of this project there may be further funding opportunities.

In regard to carp removal the JSRIP announced in May that they would complete the NEPA process for carp removal. Mr. Price understands JSRIP is close to finishing and hopes to begin fishing next month.

The Executive Committee heard a presentation from Jeff DuBois from Brigham Young University (BYU) who will be presenting to the Governing Board in today's meeting.

The Commission has contacted all the candidates running for office and has encouraged them to learn more about the Commission. He wished all those running for office, mayors and city council members, good luck with their election. It is the Executive Director's job to inform all those running for office what the Commission's role is and educate them early.

Scheduled on the agenda, with time permitting, Mr. Price has a presentation showing what the priorities will be of the Utah Lake Commission in the implementation of the strategies delineated in the adopted Master Plan.

Mr. Lifferth reviewed that earlier in the year there was a phragmites burn that was determined to be unsuccessful and it was announced that there would be another one conducted later in the year. He asked if that second burn was still going to be conducted. Mr. Price said that the pilot area that was just sprayed should be ready for the burn when the lake level is low sometime in the fall or early winter.

#### 6. Approve accounting firm to conduct the Commission's annual financial review

Mr. Price said that the Bylaws require the Commission to approve an accounting firm to conduct an annual review or audit. Because the budget for 2010 fell below the \$300,000 expense threshold an audit will not be

required. Instead a review will be sufficient. In discussion with Mr. Schwendiman, he suggested that a sealed bid process be conducted. Mr. Price, therefore, issued a Request for Proposal (RFP) and received two proposals. One of them was from Squire & Co. who performed the review last year and Mr. Price recommended that they be approved to perform the review this year. Mr. Styler moved to accept the recommendation to approve Squire & Co. to conduct the annual financial review for the past fiscal year. The motion was seconded and approved unanimously.

7. Consider approving Eagle Mountain City as a Member of the Utah Lake Commission

Mr. Price stated that the Commission has been working with Eagle Mountain for over a year regarding their membership in the Utah Lake Commission. In June they were able to convince their City Council that membership in the Commission would be beneficial. He invited Mayor Heather Jackson of Eagle Mountain to speak on the process that they incurred.

Mayor Jackson said the first time membership in the Commission was put on the Council agenda she felt it would be an easy issue. It was the first negative decision they had experienced and was a surprise to both her and Councilman, Mr. Lifferth. The Council direction was to request membership as an Ex Officio member with Councilman Lifferth to serve as the representative. Later, the Utah Lake Commission voted to discontinue Ex Officio memberships. When it came time to discuss the next year's budget the item was put on the agenda again and there was a lot of discussion. The statement in the Bylaws that requires a one-year notice to cancel membership was a major issue. Therefore, while requesting membership they have also included notice for a one-year cancellation. The vote to join the Commission was unanimous, however, with one councilman absent, making it a 4-0 vote. Mayor Jackson is hopeful that the membership in the Commission will be beneficial and that the Council will retract their notice of cancellation.

Mr. Lifferth said that he does appreciate the cautiousness of the City Council and their fiscal conservativeness. He expressed his enthusiasm in being a member of the Commission.

Commissioner Ellertson moved to approve the request from Eagle Mountain as a member of the Utah Lake Commission and Mayor Johnson seconded it. Mr. Price stated that the way the Interlocal Agreement is written there would need to be an amendment to Appendix A and requested that the motion be amended to include that amendment and subject to receiving the signed Interlocal Agreement. The motion and second were amended to include those requests. The motion was approved unanimously.

Chairman Billings thanked Mayor Jackson for her leadership and invited her to attend the meetings whenever her time would permit.

8. Presentation from Mr. Jeff DuBois, Manager of Bradley Public Relations Lab at Brigham Young University about a proposal for a lake promotion and public outreach project

Mr. Price reviewed that the Master Plan identifies several objectives where public outreach and education should be pursued. Mr. Jeff DuBois who is the Manager of Bradley Public Relations Lab at Brigham Young University contacted Mr. Price. He presented a proposal for a student project to create a public outreach campaign on a myriad of different issues customized to the Commission's needs. They presented this project to the Executive Committee who was very excited to have them present their ideas and their proposal to the Governing Board. Mr. Price said many would be aware that a public outreach campaign is very expensive when done professionally. Under the supervision of the professors at BYU and Mr. DuBois the Commission can receive the same product at a fraction of the cost.

He introduced Mr. Jeff DuBois and Mr. Ken Plowman who is in the Department of Communications at BYU.

Mr. DuBois thanked Mr. Steve Densley and Mr. Price who have spent considerable time with them.

He gave a background history on himself and Mr. Plowman.

In the capstone class which is a strategic program planning class the students are presented with a business or community problem and required to develop a strategic plan to solve the problem. Mr. DuBois and Mr.

APPROVED  
September 24, 2009

Plowman felt that some of the public outreach plans as outlined in the Master Plan would be a good fit for their students to develop a strategic plan to reach those initiatives.

The class is capped at twenty students, but is organized into four competing groups. Each group will operate as if they were a mini-PR agency. Using some additional research and with some direction from the professor, each group will develop a strategic plan to reach these outreach goals and initiatives as outlined by the Master Plan. At the end of the semester each group will present their ideas. In the past the clients have selected a winner, but usually there is a synthesized approach with all the plans.

Mr. Plowmen then presented a power point presentation on some of the past clients. He commented that in their department they have a research class, a writing and production class, and a case studies class. In the strategic communications class they integrate all these classes and the students have all done internships in the field. A professional strategic plan usually is about 10-15 pages, but each team in this class produces about 100-150 pages.

Mr. Plowmen showed some samples of some strategic plans that had been previously done.

The students will research the Master Plan and identify the goals and objectives of the Commission. They will also do additional research and create a quantifiable timeline to measure reaching the goals. They create a slogan and a key message design for the campaign. At the end of the semester the projects will be evaluated. The Commission would go into the class the first week and present the background of the Commission and possible problems. Each group has to address twenty tactics in their campaign. They also prepare a hypothetical calendar and budget. The Commission can set the budget range as well. At the end of the class each team presents their campaign for a half-hour and then the client selects a winner for the competition. The fall semester would be the time period for this project, which would begin next week and finish mid-December. In the winter semester that begins in January and finishes in April, the students in the Bradley Lab would be available to execute implementation and develop a synthesized plan. The time duration of that phase is subjective. There would be some charge to the Commission for lab costs.

Chairman Billings reviewed that public outreach is an objective of the Master Plan and summarized the timeline of the project. Mr. DuBois explained that the expense to the Commission would be \$5,000, which mainly offsets overhead expenses and production costs associated with the class. The \$5,000 would be the cost for the project in the fall semester. If the Commission chooses to proceed with the winter semester involving the Bradley Lab there would be additional funds required.

Mr. Steve Densley commented that when Mr. Dubois approached him and he referred him to Mr. Price it was because one of the major challenges in the Chamber is the image of Utah Lake. They want to help the people in the community understand that Utah Lake is a real asset both in economic development and in the quality of life. He thought this might be an inexpensive opportunity to create an improvement in the image of the lake. Commissioner Ellertson interjected that the costs are approachable.

The Executive Committee has recommended that the Board consider this project. Mr. Price explained that although this was not budgeted as part of the FY2010 budget, the funds can be drawn from the Special Projects Fund account, which has a balance of \$100,000, and funds for this project can be put into the General Funds account. Mr. Rick Cox who was the consultant for the Master Plan said this would be much more expensive in the private sector.

Mr. Schwendiman commented that this would not be a budget transfer but an authorization of funds from an account that has already been approved for this type of project. Funds could be withdrawn directly from the Capitol Funds.

Mr. Linford requested clarification on the funds in the Special Projects Fund. Mr. Price clarified that there are funds in the Capitol Funds account that was created in April. Excess funds in the amount of \$30,000 were deposited in that account and another \$70,000 has been added. Mr. Linford also inquired as to the \$20,000 budgeted for consultants and Mr. Price confirmed that those monies are for the development of the model ordinances.

Chairman Billings requested Mr. Price to confirm these accounts with the Commission's financial advisors.

APPROVED  
September 24, 2009

Commissioner Ellertson asked if the Commission will be assisted in determining in what will be promoted and it was affirmed they would work cohesively with the Commission.

Chairman Billings asked for feedback from the Technical Committee and Mr. Beckstrom stated that they feel it is a good idea and cost effective to fulfill the public outreach goals and objectives in the Master Plan. Mr. Don Blohm questioned if this was the only idea for public outreach that has been presented and Mr. Price affirmed that other opportunities have not yet been presented.

Mayor Jackson said Eagle Mountain has been interviewing advertising agencies to do something similar for their city and has found that the cost would be in the hundreds of thousands of dollars. She stated that this value is tremendous.

Mayor Thompson moved to accept the proposal that has been presented to the Executive Committee and the Governing Board with the specifics on the finances to be determined with a budget of \$5,000. Mayor Jim Dain seconded the motion. It was asked when the Commission would need to decide whether or not to continue the project for the winter semester. Mr. DuBois said that could be determined after the completion of the fall semester. Mr. Schwendiman asked if one of the groups could present their campaign to the Governing Board. Mr. DuBois and Mr. Plowman said they could make the final presentations at the meeting if desired. A vote was taken and the motion carried unanimously.

#### 9. Master Plan Implementation presentation

Mr. Price said that in lieu of the time he would condense his presentation. He referred to the handout of a spreadsheet that identifies the high priority goals of the Utah Lake Commission as identified in the Master Plan. The consultants as part of the Master Planning process created an implementation strategy. The Technical Committee reviewed it and refined it looking at the specific objectives for each goal. The goals highlighted in blue are the goals that the Technical Committee felt the Commission should be the lead agency. They have identified the Goal, Objective, Task, Lead Agency, Secondary Agencies, Start Target Date and the Completion Date for every goal.

The Commission will be the lead agency for the following Tasks, called Tier One Tasks:

1. Land-Use Regulations and Policies
2. Coordination and Communications
3. Law Enforcement
4. Transportation Planning
5. Public Education and Outreach
6. Phragmites Control
7. Expand and Manage Recreation

Two of the Tier One Tasks will have FFSL as the lead agency with the Commission fulfilling more of an assisting role:

8. Access Development
9. Natural Areas Preservation

If the Commission is not the lead agency, they will be a secondary agency and will be involved in all the implementation of these objectives.

The top six priorities include the following:

- Phragmites control – the Commission will be working with FFSL,
- Land-Use Regulations and Policies – this will include the model ordinance plans, trail ordinances, flood restrictions, etc.,
- Public Education and Outreach – outlined in the presentation just presented,

APPROVED  
September 24, 2009

- Transportation Planning – will be involved in the Utah Crossing proposal,
- Law Enforcement – the Commission will be helping to determine where and if additional enforcement is needed and who has the responsibilities,
- Coordination and Communication – the Commission will help facilitate among the municipalities, between the state agencies, and between the municipalities and state agencies.

Mr. Price emphasized that the Utah Lake Commission is the key contact for everything that concerns Utah Lake and the Commission.

Chairman Billings complimented Mr. Price on the prepared matrix and said it would be helpful to the Commission in accomplishing their goals. Mr. Price requested that all agencies note on the matrix if they have been assigned as a lead agency or secondary agency for each goal.

Mayor Johnson requested more information on the Objective of Acquisition of Lands. Mr. Price explained that all the land around Utah Lake has been identified and some of it has been identified as Sensitive Lands. A lot of the land has been purchased. There is a significant area of land on the south side that has been identified by the Utah Reclamation Mitigation Conservation Commission (URMCC) as a preservation area. The Federal government is in the process of trying to purchase this land from private ownership. The Utah Lake Commission will help coordinate.

10. Confirm that the next meeting will be held at the Historic Utah County Courthouse Ballroom on Thursday, September 24, 2009 at 7:30 AM

Chairman Billings confirmed the next meeting of the Governing Board as stated.

11. Other Business

Chairman Billings commented that he has been very impressed with the work of Mr. Price as Executive Director. Mr. Price has had very good support from Ms. Carol Mausser as his Executive Assistant. She has been diligent in remaining with the Commission as her husband took a new job in Southern California and will now be joining him there. In appreciation of the work Ms. Mausser has done the Commission presented her with a beautiful clock with an inscription.

Ms. Mausser expressed her gratitude in being involved with the inauguration of the Commission and for her associations with the members of the Commission. She specifically acknowledged Mr. Price and her association in working with him.

Mr. Densley announced that the Executive Summit Conference would be held at Sundance on September 24. There will be twenty-three excellent speakers including Governor Herbert.

He informed the Board that the Provo/Orem Chamber of Commerce will soon be expanded to the Utah Valley Chamber of Commerce and that will be announced at the Summit Conference.

Chairman Billings stated the agenda had been completed and complimented everyone on their dedication.

12. Adjourn

Mr. Mike Cobia moved to adjourn the meeting and it was seconded by Mr. Jim Llnford. The meeting was adjourned at 9:16 A.M.